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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/500,486	03/11/2005	Hodaka Irikuchi	SONY JP 3.3-345	4494
15028 SONYJP	7550	08/04/2011	EXAMINER	
Lerner, David, Littenberg, Krumholz & Mentlik, LLP 600 South Ave West Westfield, NJ 07090			TEKLE, DANIEL T	
			ART UNIT	PAPER NUMBER
			2481	
			NOTIFICATION DATE	DELIVERY MODE
			08/04/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

eOfficeAction@ldlkm.com

Office Action Summary

Application No.

10/500,486

Applicant(s)

IRIKUCHI ET AL.

Examiner

DANIEL TEKLE

Art Unit

2481

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 May 2011.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 11 and 12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 11 and 12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-940)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB-08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on March 9, 2011 has been entered.

Response to Arguments

Applicant's arguments with respect to claim 1-4, 11 and 12 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1-4, 11 and 12 rejected under 35 U.S.C. 103(a) as being unpatentable over Yap et al. (US 20020092021), Kim et al. (US 6,405,372) and further in view of Sasaki et al. (US 2002/0150382).

Regarding Claim 1: Yap et al. discloses a recording/reproducing apparatus, comprising: at least two channel selecting mechanisms for taking in a plurality of

television signals delivered over a plurality of channels including the television signal delivered over a program guide providing channel (**paragraph 0087 and 0096:.... reception/tuning of plural programs, simultaneous recording of two or more programs...), and in which** an electronic program guide has been is stored at a predetermined timing (**paragraph 0047:... electronic program guide stores available content....), and for** selecting the television signal delivered over a desired channel from among the plurality of channels (**paragraph 0047:.... user can make selections of desired content bases on electronic program information.....);** at least two signal processing mechanisms for performing predetermined processing to television signal delivered over desired channel (**paragraph 0087:.... reception/tuning of plural programs, simultaneous recording of two or more programs...);** electronic program guide extracting mechanism for extracting electronic program guide from television signal delivered over program guide providing channel (**paragraph 0011-0012:... method offers users an ability to select, record and manipulate desired program content from an electronic program guide (EPG)....);** switching mechanism for switching connections of channel selecting mechanisms to output to one or more of at least two signal processing mechanisms and electronic program guide extracting mechanism (**paragraph 0071:the switch 50 is controlled by control unit 70 to switch the tuned channel to be fed to the storage device 200.... paragraph 0096: ...EPG handling plurality stream contents.....);** and

However Yap et al. fail to explicitly teach, but Kim et al. teaches control mechanism for controlling switching mechanism such that, in a first operating case the

signal processing mechanisms are each connected to one of channel selecting mechanisms and the electronic program guide extracting mechanism is connected to another one of channel selecting mechanisms so that (i) a plurality of predetermined different processing is simultaneously performed on television signal on desired channel by each of signal processing mechanisms and while (ii) electronic program guide is obtained from television signal by electronic program guide extracting mechanism **(column 3 lines 39-67:....first tuner view current channel and second tuner updating EPG....).**

It would have been obvious to one ordinary skill in the art at the time of the invention was made to combine Kim et al. invention into Yap et al. invention in order to update EPG information in a digital TV receiver; as a result user are up to date with the current view channel for recording or playback audio/video data.

Further Yap et al. and Kim et al. fail to explicitly teach, but Sasaki et al. teaches the least two signal processing mechanisms simultaneously performing compressive coding processing to the television signal delivered over the desired channel such that each one of the least two signal processing mechanisms performs compressive coding processing at a respective compression rate that is different than that at which any other of the least two signal processing mechanisms performs compressive coding processing (paragraph 0094-0095:....receiving plurality video signal simultaneously and encoding the received plurality signal at a variable rate....).

It would have been obvious to one ordinary skill in the art at the time of the invention was made to combine the teaching of Sasaki et al. into Kim et al. and Yap et al. invention in order to compress a plurality of received signal simultaneously; thus it is convenient to a user to recording and playback audio/video signal simultaneously.

- The motivation outlined above is apply to all depends claims as presented below.

Regarding Claim 2: Yap et al., Kim et al. and Sasaki et al. discloses a recording/reproducing apparatus according to claim 1, wherein; further Yap et al. discloses in the case where in providing of electronic program guide, a plurality of predetermined different processing is simultaneously performed to television signal on program guide providing channel in each of signal processing mechanisms (**paragraph 0087**), control mechanism controls said switching mechanism so that the at least two signal processing mechanisms and electronic program guide extracting mechanism are collectively connected to only one of plurality of channel selecting mechanisms (**paragraph 0090**).

Regarding Claim 3: Yap et al., Kim et al. and Sasaki et al. discloses a recording/reproducing apparatus according to claim 1, further comprising: further Yap et al. discloses a recording medium for storing television signal subjected to predetermined processing by each of signal processing mechanisms (**paragraph 0136**), wherein (**paragraph 0076**), said television signals compressively coded at the different compression rates are recorded in said recording medium (**paragraph 0076**).

Regarding Claim 4: Yap et al., Kim et al. and Sasaki et al. discloses a recording/reproducing apparatus according to claim 1, further comprising: further Yap et al. discloses a recording medium for storing television signal subjected to predetermined processing by each of signal processing mechanisms **(paragraph 0136)**, wherein signal processing mechanisms simultaneously perform processing for viewing to television signal carried over desired channel selected **(paragraph 0076)**, and television signals subjected to the above compressive coding in the above processing for viewing, are recorded in recording medium **(paragraph 0076)**.

Regarding Claim 11: Yap et al. discloses a recording/reproducing apparatus comprising: two channel selecting mechanisms for taking in a plurality of television signals delivered over a plurality of channels including program guide providing channel **(paragraph 0087 and 0096:.... reception/tuning of plural programs, simultaneous recording of two or more programs...)**, and for selecting a television signal or signals therefrom from among the above plurality of television signals **(paragraph 0047:.... user can make selections of desired content bases on electronic program information.....)**; a first signal processing mechanism and a second signal processing mechanism or performing respective predetermined processing on a received television signal supplied thereto **(paragraph 0087: ...reception/tuning of plural programs, simultaneous recording of two or more programs.....)**, the first signal processing mechanism to performing a first predetermined processing and the second signal processing mechanism performing a second predetermined processing which is different than the first predetermined processing **(paragraph 0087 and 0092-0094:**

...reception/tuning of plural programs, simultaneous recording of two or more programs, as well as simultaneously recording one program while viewing or playing back another program....); electronic program guide extracting mechanism for extracting said electronic program guide from program guide providing channel **(paragraph 0011-0012:... method offers users an ability to select, record and manipulate desired program content from an electronic program guide (EPG)....);** switching mechanism for switching connections of channel selecting mechanisms to output to one or more of the first and second signal processing mechanisms and said electronic program guide extracting mechanism **(paragraph 0071:the switch 50 is controlled by control unit 70 to switch the tuned channel to be fed to the storage device 200.... paragraph 0096: ...EPG handling plurality stream contents...);** and

However Yap et al. fail to explicitly teach, but Kim et al. teaches control mechanism for controlling switching mechanism such that the first and second signal processing mechanisms are connected to a same one of channel selecting mechanisms and the electronic program guide extracting mechanisms is connected to another one of channel selecting mechanisms so that (i) the first signal processing mechanism and the second signal processing mechanism receive a same one of plurality of television signals and cause the first predetermined processing and the second predetermined processing to be simultaneously performed on that television signals, while (ii) electronic program guide is obtained from that television signal by electronic program guide extracting mechanism **(column 3 lines 39-67:....first tuner view current channel and second tuner updating EPG....),**

It would have been obvious to one ordinary skill in the art at the time of the invention was made to combine Kim et al. invention into Yap et al. invention in order to update EPG information in a digital TV receiver; as a result user are up to date with the current view channel for recording or playback audio/video data.

Further Yap et al. and Kim et al. fail to explicitly teach, but Sasaki et al. teaches first predetermined processing including compressive coding at a first compression rate and second predetermined processing involves compressive coding at a second compression rate which is different than the first compression rate (**paragraph 0094-0095:...receiving plurality video signal simultaneously and encoding the received plurality signal at a variable rate....**).

It would have been obvious to one ordinary skill in the art at the time of the invention was made to combine the teaching of Sasaki et al. into Kim et al. and Yap et al. invention in order to compress a plurality of received signal simultaneously; thus it is convenient to a user to recording and playback audio/video signal simultaneously.

Regarding Claim 12: Claim 12 are rejected for the same reason to claim 1 as outlined above.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANIEL TEKLE whose telephone number is (571)270-1117. The examiner can normally be reached on 8:00am to 4:30pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Vaughn can be reached on 571-272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Daniel Tekle/
Examiner, Art Unit 2481
/William C. Vaughn, Jr./

Supervisory Patent Examiner, Art Unit 2481